

REMARKS

The Office Action dated November 14, 2006 has been reviewed and the application is amended in a manner believed to place same in condition for allowance. Reconsideration of the application is respectfully requested.

In summary, Claims 1, 5-7, 9, 12, 13, 16 and 20 have been amended. Claims 2, 8, 15 and 22 have been cancelled and all of Claims 1, 3-7, 9-14, 16-21 and 23-25 are believed allowable.

The rejection of Claims 7, 13 and 16 under 35 USC §112, second paragraph, as being indefinite has been considered.

Claims 7, 13 and 16 have been amended to no longer recite the monolithic one-piece structure as also being "integral".

The Examiner objects to the uprights described as being "fixed" to the sidewall if they are a one-piece structure. Applicants note that the sidewalls are formed by folding a monolithic, one-piece structure formed from a single flat metal sheet. Folded portions of the metal sheet can be fixed or welded to other parts of the same metal sheet and thus still comprise a monolithic structure. To advance prosecution, however, the term "fixed" has been deleted from Claims 7 and 16.

For the above reasons Claims 7, 13 and 16 are believed definite.

The rejection of Claims 1-6 and 15 under 35 USC §102(e) as being anticipated by Noel, U.S. Patent Publication No. 2003/0111941 has been considered.

Amended independent Claim 1 includes the features of cancelled dependent Claim 2 and features from amended Claim 5. Independent Claim 15 has been cancelled.

Claim 1 recites "each said right and left sidewall structure being identical, and wherein the front and rear uprights are mirror images of one another as defined about a vertically extending centerline of the respective sidewall structure so that each said sidewall structure may function as

either a right or left said sidewall structure of the housing".

Figure 2 of Noel illustrates a side wall 21 of the cabinet. The sidewall has a rectangular shape and vertically oriented elongate front and rear flanges on opposing sides thereof. The front flange includes vertically spaced apertures 81, 87. The other vertically elongate parallel rear flange includes notches 84, 90. The side wall 21 in Noel, which functions as a right side wall of the housing cannot function as a left side wall. As illustrated in Figure 2, the notches 84, 90 of the rear flange and the apertures 81, 87 of the front flanges are completely different structures and are not spaced evenly along the length of the respective flanges such that the side walls 21 are asymmetric about their vertical centerlines. Thus, if the right side wall 21 were inverted for use as a left side wall, the apertures and notches would not align with the apertures and notches on the right side wall. Therefore, the side walls are not identical and not interchangeable.

Moreover, the front and rear flanges of Noel clearly are not mirror images of one another as defined about a vertically extending centerline of the side wall structure 21. This is easily realized by the notches 84, 90 which are not a mirror image of the apertures 81, 87.

For the above reasons Claim 1, and Claims 3-6 dependent therefrom, are believed allowable over Noel.

The rejection of Claims 1-19 under 35 USC §102(b) as being anticipated by Debus, U.S. Patent No. 4 899 900 has been considered.

Applicants' Claim 1 recites "each said sidewall structure having a generally horizontally-extending unfolded edge between corresponding ends of said front and rear uprights". Applicants' Figures 17 and 18 clearly illustrate this feature for the sidewalls 114.

Figure 5 of Debus shows a switching box having side walls 11, 13 with a bent edge framework 15, 19, 22, 23 extending

about essentially the entire perimeter thereof. There is no disclosure or suggestion in Debus of providing side walls with any unfolded edge, much less an unfolded edge between corresponding ends of the front and rear edge framework 15, 19 of Debus. Figure 6 of Debus shows the framework 22 of the side wall mounted on a bottom wall 10 having a border 28. The framework 22 is needed to stabilize the corners and border of the bottom wall 10. Therefore, an unfolded edge would not function properly.

Applicants' Claim 5 further recites that "said horizontally-extending unfolded edge is free from flanges or channel members". Thus, Claim 5 further distinguishes Debus.

For the above reasons, Applicants' Claim 1, and Claims 3-6 dependent therefrom, are believed allowable over Debus.

Applicants' independent Claim 7 recites the housing having "a one-piece monolithic upper box member which opens downwardly and a separate one-piece monolithic lower box member which opens upwardly, said upper and lower box members being vertically telescopingly nested one within the other and fixedly secured together". This feature is illustrated, for example, in Applicants' Figures 24 and 25.

At page 6, lines 1-3, the Office Action states that the top wall 12 and the bottom wall 10 of Debus form a closed but rigid hollow box structure. While the top wall and bottom wall of Debus may, along with the sidewalls, form a box structure, the top wall 12 and bottom wall 10 are spaced from each other and thus are not "vertically telescopingly nested one within the other" as recited in Applicants' Claim 7.

Further, Applicants' Claim 7 recites "a plurality of horizontally movable drawer units positioned within the interior chamber of the housing above said base including said box structure". The Office Action states that the top wall 12 and bottom wall 10 of Debus define the box structure. Since the top wall 12 of Debus is also the top wall of the overall switching box, providing moveable drawer units above the top

wall defining the upper box member of the box structure as defined in Claim 7 is impossible.

Further, the bottom wall 10 of Debus is a single sheet structure and thus cannot be considered a box member that is nested as recited in Applicants' Claim 7.

Applicants' Claim 9 further recites that "said hollow box structure has narrow slots which open vertically therethrough and open inwardly a limited extent from front and rear edge surfaces thereof in the vicinity of each corner". As discussed above, the rejection based on Debus defines the hollow box structure as the entire switching box. Thus it is unclear what elements therein may define the narrow slots which open vertically and inwardly.

Applicants' Claim 10 further recites that "the opposed upper and lower box members have edge walls which cooperate to define elongate tubular structures which extend horizontally lengthwise along respective peripheral edges of the hollow box structure". This feature is illustrated in Applicants' Figures 24 and 25. It is unclear what elements in Debus correspond to such tubular structures. Likewise, Applicants' Claim 11 recites the hollow box structure with tubular structures that "extend horizontally lengthwise along the front, rear and both side peripheral edges". Again this structure is not believed present in Debus.

For the above reasons, Applicants' independent Claim 7, and Claims 9-11 dependent therefrom, are believed allowable over Debus.

Applicants' independent Claim 12 recites said hollow box structure being defined by "a one-piece monolithic upper box member which opens downwardly and telescopes with a separate one-piece monolithic lower box member which opens upwardly, said upper and lower box members being vertically nested and fixed together to define an open interior therebetween". As discussed above, Debus does not disclose monolithic box members that "telescope" with each other or are "vertically nested and fixed together".

Applicants' Claim 12 further recites the hollow box structure "having a narrow slot which opens transversely inwardly from a longitudinally-extending front and rear side face of the box structure in closely adjacent relationship to each corner thereof, said slot also opening vertically upwardly of the hollow box structure". It is unclear what element in Debus includes such a slot, much less a slot in a hollow box structure.

Applicants' Claim 12 further recites each sidewall structure including a generally L-shaped flange associated with each lower corner and cooperating with a corner of the hollow box structure "so that the L-shaped flange has one leg thereof extending along the face of the box corner and the other leg of the L-shaped flange projecting into the respective slot so that the exterior wall and the respective L-shaped flange cooperate to reinforce the respective corner". In Debus, various flanges for the corners are disclosed. As shown in Figures 5 and 6 of Debus, the bent edges simply contact one another at perpendicular edged borders, which are then directly welded to one another. These connectors are familiar in the art as recited in column 2, lines 52-57 of Debus, and do not conform to Applicants' claimed slots and corresponding L-shaped flanges projecting therein.

For the above reasons, independent Claim 12, and Claims 13 and 14 dependent therefrom, are believed distinguishable over Debus.

Applicants' independent Claim 16 recites a base defined by a closed but rigid "hollow box structure having generally horizontal top and bottom walls disposed in closely adjacent but vertically spaced relationship". The hollow box structure has "a transverse slot opening horizontally inwardly thereof in the vicinity of each corner thereof". Applicants do not find the bottom wall 10 of Debus having such a structure. First, the bottom wall 10 of Debus is a single wall structure rather than vertically spaced top and bottom walls, defining a base. Moreover, Debus discloses a series of holes 27 at an

inner portion of the bottom wall element opening outwardly, while Applicants' Claim 16 recites "a transverse slot opening horizontally inwardly" in the vicinity of each corner thereof. Thus, the claimed transverse slot is not disclosed in Debus.

Claim 17 is believed allowable for the reasons set forth above with respect to Claim 11.

Applicants' Claim 19 recites that the "flange associated with each corner of the sidewall structure includes a cantilevered leg part which projects into the slot positioned adjacent the respective corner of the hollow box structure". A cantilevered leg part for projecting into a slot is not disclosed in Debus.

For the above reasons, independent Claim 16, and Claims 17-19 dependent therefrom, are believed allowable over Debus.

The rejection of Claims 20-25 under 35 USC §103 as being unpatentable over Noel or Debus has been considered.

With respect to Noel, Applicants' independent Claim 20 recites the step of "providing two identical said sidewall structures and positioning said sidewall structures in spaced and opposed parallel relationship so that the channel shaped parts are disposed in opposed and facing relationship, wherein the channel shaped parts of each said sidewall structure are mirror images of one another as defined about a vertically extending centerline of the respective sidewall structure so that each said sidewall structure may function as either a right or left side of the housing". As discussed above, Noel provides two different side wall structures that cannot function as both a right and left side of the housing. Further, the right and left side wall structures of Noel are not mirror images of one another as defined about a vertically extending centerline as discussed above. There is no motivation, absent Applicants' specification to provide a mirror image for the sidewalls of Noel.

Applicants' Claim 20 further recites "maintaining a lower edge of each said sidewall structure in an unfolded condition

for the formed housing". As discussed above, Debus discloses folded edges on all sides of the sidewall structures therein.

For the above reasons independent Claim 20, and Claims 21 and 23-25 dependent therefrom, are believed allowable.

In view of the above, the instant application is believed to be in condition for allowance, and action toward that end is respectfully requested.

Respectfully submitted,

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